United Nations A/67/67

General Assembly

Distr.: General
6 March 2012

Original: English

Sixty-seventh session
Item 111 (d) of the preliminary list*
Elections to fill vacancies in subsidiary organs and other elections: election of eighteen members of the Human Rights Council

Letter dated 28 February 2012 from the Permanent Representative of Germany to the United Nations addressed to the President of the General Assembly

With reference to my letter of 10 February, in which I informed you about Germany's candidature to the Human Rights Council for the period from 2013 to 2015 at the elections to take place later in 2012, and in accordance with General Assembly resolution 60/251, I have the honour to submit herewith a specific set of pledges and commitments underscoring Germany's active engagement in the promotion and protection of human rights at the global, regional and local levels (see annex).

I should be grateful if you could circulate the present letter and its annex as a document of the General Assembly.

(*Signed*) Peter **Wittig**
Ambassador
Permanent Representative

* A/67/50.

12-25393 (E) 120312

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Annex to the letter dated 28 February 2012 from the Permanent Representative of Germany to the United Nations addressed to the President of the General Assembly

Candidature of Germany to the Human Rights Council, 2013-2015

Voluntary pledges and commitments pursuant to General Assembly resolution 60/251

1. The Federal Republic of Germany was a founding member of the Human Rights Council and had a seat on that body from 2006 to 2009. The Government of Germany is seeking re-election to the Council for the period 2013-2015.

2. Respect for human rights is of vital importance to the Federal Republic of Germany. Germany's Constitution, the Basic Law, begins by stating that human dignity shall be inviolable and then goes on to say that the German people acknowledge inviolable and inalienable human rights as the basis of every community.

3. Germany is a party to the fundamental human rights conventions, which were incorporated into national law following their ratification. Germany has entered into extensive commitments on the protection of human rights and allows their implementation to be monitored at both the national and international levels.

4. The Government also feels that it has an obligation to strive to protect and foster respect for human rights throughout the world. It does this by conducting a critical dialogue, as well as by providing concrete support for projects aimed at improving human rights. Human rights and human rights principles are systematically taken into account in German development policy programmes and projects.

5. Protection and respect for human rights begins in one's own country. We regard this as a task which we have to tackle anew every day, and we have to allow ourselves to be judged by how well we do it.

6. The German Institute for Human Rights, established in March 2001, is Germany's independent national institute for human rights, as required by the Paris Principles, and monitors the Government's human rights activities closely and critically. The Government cultivates close contacts with civil society and engages in active discourse on human rights with it.

7. The Government regards its human rights policy as a cross-cutting task that affects all areas of society. The realization of article 3 of the Constitution, which states that men and women have equal rights, the implementation of the National Action Plan for a Child-Friendly Germany 2005-2010 and the Action Plan of the Federal Government to Combat Violence against Women, efforts to ensure equal opportunities and participation for people with a migrant background, as well as the preparation of the National Action Plan to Fight Racism, Xenophobia, Anti-Semitism and Related Intolerance, are just a few examples of the Government's ongoing commitment to improving the human rights situation.

8. The Federal Republic of Germany has been a committed supporter of the Human Rights Council and its mechanisms since its establishment. It has issued a standing invitation to mandate holders under the Council's special procedures. It has been the initiator of three mandates of special rapporteurs. A German expert has

been on the Human Rights Council Advisory Committee since 2008, while another expert has held the post of special rapporteur since 2010.

9. In connection with its candidature to the Human Rights Council, the Government of Germany undertakes to:

(a) Continue to work for the universality and indivisibility of human rights;

(b) Continue to actively advance the implementation of its obligations under the Universal Declaration of Human Rights, the international human rights conventions, the European Convention on Human Rights and other international and regional conventions;

(c) Fulfil its reporting obligations deriving from those conventions and cooperate in a spirit of mutual trust with the treaty bodies, disseminate the concluding remarks of the treaty bodies, examine how to implement them and report on the corresponding implementation steps;

(d) Continue its close cooperation with the Office of the United Nations High Commissioner for Human Rights and carry on providing substantial support for its work;

(e) Work towards enabling the Human Rights Council to carry out in full its mandate under General Assembly resolution 60/251, by which the Council was established, and granting national institutions for human rights, within the meaning of the Paris Principles and civil society, their proper place in the Council;

(f) Pursue an active role in the Human Rights Council, in particular by continuing its sponsorship of the mandates of the Special Rapporteurs on the human right to safe drinking water and sanitation, on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, and on trafficking in persons, especially women and children;

(g) Actively seek cooperation in the Human Rights Council on improving the protection of human rights beyond regional frontiers;

(h) Cooperate with the instruments and mechanisms of the Human Rights Council, in particular by upholding its standing invitation to the special rapporteurs and working actively on the universal periodic review.

10. At the national level, the Government undertakes to:

(a) Ratify the Council of Europe Convention on Action against Trafficking in Human Beings in 2012 at the latest;

(b) Develop a national action plan to implement the Convention on the Rights of Persons with Disabilities by the end of 2011 and involve civil society on a broad basis;

(c) Implement the 2011 Federal Government Action Plan to Protect Children and Youth from Sexual Violence and Exploitation and review its implementation through a monitoring procedure;

(d) Resolutely continue its efforts to combat racism, xenophobia, anti-Semitism and related intolerance;

(e) Implement the Federal Government's Action Plan on Human Rights 2010-2012.

United Nations A/67/68

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Distr.: General
8 March 2012

Original: English

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Note verbale dated 16 January 2012 from the Permanent Mission of Greece to the United Nations addressed to the Secretary-General

The Permanent Mission of Greece to the United Nations presents its compliments to the Secretary-General of the United Nations and, regarding the decision of the Government of Greece to present its candidature to the Human Rights Council for the period 2013-2015 at the elections to be held in New York in 2012 and in accordance with General Assembly resolution 60/251, has the honour to enclose the voluntary pledges and commitments of Greece in the field of the promotion and protection of human rights (see annex).

The Permanent Mission of Greece to the United Nations would be grateful if the present note and its annex could be circulated as a document of the General Assembly.

* A/67/50.

12-25758 (E) 130312

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Annex to the note verbale dated 16 January 2012 from the Permanent Mission of Greece to the United Nations addressed to the Secretary-General

Candidature of Greece to the Human Rights Council, 2013-2015

Voluntary pledges and commitments pursuant to General Assembly resolution 60/251

International contribution, pledges and commitments

1. Greece has a long-standing commitment to the comprehensive protection of human rights at both the national and international levels. Greece believes that the United Nations plays a unique and vital role in the promotion and protection of human rights and recognizes the crucial role of the Human Rights Council in strengthening the ability of the United Nations to fulfil these responsibilities effectively.

2. Greece fervently supported the creation of an efficient Human Rights Council, equipped with a strong mandate, in order to set universal standards for the protection of human rights, prevent human rights violations, promptly respond to human rights emergencies and provide guidance and assistance to countries in need, with a view to attaining the highest standards of human rights protection. Greece believes that the Human Rights Council has proven to be the most suitable forum for the respect for and protection of all human rights and fundamental freedoms, through extensive dialogue on thematic issues on all human rights and by its prompt reaction to human rights situations that require its attention.

3. Greece has always been a staunch supporter of all efforts to enhance international cooperation in the field of the protection of human rights. Being a party to almost all major relevant international instruments, Greece considers accountability for its actions to various international organizations in which it participates as a cornerstone for the effective protection of all human rights, through openness, transparency and international scrutiny.

4. Greece has ratified almost all of the core international human rights instruments. Greece will ratify the International Convention for the Protection of All Persons from Enforced Disappearance, the Convention on the Rights of Persons with Disabilities and its Optional Protocol and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Moreover, Greece has recognized the competence of the Human Rights Committee, the Committee against Torture and the Committee on the Elimination of Discrimination against Women to examine individual communications under the relevant instruments.

5. In the context of the submission of its candidature for election to the Human Rights Council for the period 2013-2015, and in accordance with General Assembly resolution 60/251, Greece announces the following voluntary pledges and commitments:

- To actively participate in the work of the Council, in particular to contribute to the full implementation of its mandate, aiming at further strengthening its credibility and efficiency.

- To work and fully cooperate with all of the United Nations human rights mechanisms, as well as the Council's special procedures, and to take into serious account their recommendations. The independence and high expertise of the special procedures mandate holders provide a unique framework for dialogue and cooperation. Greece has extended and maintains a standing invitation to all mandate holders under the special procedures and received visits by the Special Rapporteur on the sale of children, child prostitution and child pornography in 2006, the Independent Expert on minority issues in 2008 and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment in 2010.

- At an extremely challenging economic and financial juncture, to make every effort to maintain its voluntary contributions at meaningful levels.

- To promote the engagement of non-governmental organizations in the Council's work.

- To fully cooperate with the treaty monitoring bodies through the timely submission of its periodic reports and an appropriate follow-up to the recommendations made by those bodies.

- To fully engage with the universal periodic review mechanism and to ensure an effective follow-up to the universal periodic review recommendations.

- To contribute, through national development cooperation, to the promotion and protection of human rights, the rule of law and good governance in partner countries.

- To continue to contribute to the fight against racism, xenophobia, discrimination based on race and related intolerance, building on its experience from its active participation in the Durban Review Conference, in 2009.

- To ensure adequate and effective responses to human rights crises when they occur, guided by the principles of universality, impartiality, objectivity and non-selectivity, while promoting international dialogue and cooperation.

- To continue to promote dialogue and cooperation in an atmosphere of mutual trust and understanding as the primary means for protecting and strengthening human rights worldwide.

- To continue to give special emphasis to the strengthening of gender equality, the rights of women and the rights of the child.

- To continue to work for the universality and indivisibility of all human rights — civil and political rights, as well as economic, social and cultural rights, including the right to development. Greece will give particular attention to the relationship between human rights and poverty, sustainable development and environmental protection, equal opportunities, and access to essential natural resources (i.e. water), food, adequate shelter and sanitation services, and education, as instituted by the respective United Nations bodies, such as the United Nations Development Programme, the United Nations Environment Programme and the Food and Agriculture Organization of the United Nations.

National contribution, pledges and commitments

6. The Greek Constitution contains a comprehensive set of civil, cultural, economic, political and social rights and freedoms, similar to those incorporated in the most important international and regional human rights treaties. It proclaims that respect for and protection of human dignity constitute a primary obligation of the State and guarantees the rights of persons as individuals and members of the society, as well as the principle of the "constitutional welfare state".

7. International treaties ratified by Greece become an integral part of domestic Greek law and may be invoked directly before the courts, prevailing over any contrary provision of the law. Domestic courts are bound not to apply any legislative or other provision that is contrary to an international treaty ratified by Greece, including human rights treaties.

8. The Greek legal order provides, at all levels, effective remedies against potential human rights violations. Every person enjoys the fundamental right to have recourse to courts in order to receive legal protection. All courts are under the obligation not to apply a law that is found to be contrary to the Constitution. There is also a comprehensive system designed for the protection of all persons against illegal acts or omissions committed by the Administration.

9. Independent authorities and national human rights institutions, based on the Constitution and/or ordinary legislation, cover wide and important sectors of the Administration, ensuring accountability within their respective spheres of competence. The Greek Ombudsman enjoys wide trust and confidence from both the public and the Administration, as evidenced by the constant flow of complaints by individuals and the constructive response of public authorities to the Ombudsman's recommendations. The National Commission for Human Rights, an "A" accredited national human rights institution established in accordance with the Paris Principles, has confirmed its position as a major actor in the promotion and protection of human rights, through its monitoring and consultative activities, and as a privileged partner in the drafting of legislation in the field of human rights.

10. The Greek authorities have adopted over the years a number of policies to protect and promote human rights and to prevent human rights violations. The Greek authorities are, however, fully aware of the need for a constant and sustained effort to improve the level of human rights protection and to respond to a number of challenges that remain to be addressed.

11. In particular, Greece commits itself:

- To continuing to implement the National Action Plan on Substantive Gender Equality, which focuses on the improvement, enhancement and implementation of the relevant legislative framework, on special policies for gender equality and on gender mainstreaming.
- To updating and reinforcing its domestic legislation on violence against women and to continuing to provide information and counselling services to victims, building upon existing best practices in this field.
- To stepping up its efforts to combat trafficking in human beings, through prosecution of the traffickers, protection of the victims, prevention and partnership among all relevant stakeholders, including non-governmental organizations.

- To taking all the necessary steps to address effectively issues affecting Roma, to developing a coordinated and holistic administrative intervention based on local synergies and intervention projects, with the participation of Greek Roma themselves, and to implementing educational programmes in order to enhance the access of Roma children to the educational structures of the State, with no exclusion or segregation.

- To ensuring accountability of law enforcement personnel, to reviewing in an effective manner and through appropriate structures allegations of ill treatment of individuals or violations of human dignity by police officers and to continuing to put a special emphasis on training of police personnel.

- To sparing no effort in dealing with the challenges arising from the unprecedented flow of irregular migrants entering its territory owing to its geographical position at the external borders of the European Union, bearing in mind the European dimension of the problem; and to continuing to implement the National Action Plan on Migration Management, which provides, inter alia, for the improvement of asylum procedures and the establishment of efficient screening procedures, with appropriate living conditions for those involved, in accordance with international standards.

- To further promoting consistent and efficient policies on legal migration, as well as measures and activities of third country nationals legally residing in Greece, through the National Strategy on Integration, aiming at the prevention of social exclusion, racism and xenophobia and the promotion of social cohesion.

- To continuing to implement and develop policies promoting the rights and ensuring the progress, prosperity and well-being of persons belonging to the Muslim minority in Thrace, in accordance with contemporary human rights norms and standards.

- To strengthening the fight against intolerance through an effective legislative framework and the implementation of awareness-raising and training activities addressed both to the general public and to public officials; and to updating and enhancing criminal legislation punishing incitement to acts or activities that may result in discrimination, hatred or violence against individuals or groups of individuals.

- To further promoting and reinforcing actions and initiatives in the field of human rights education and to addressing any instances of discrimination and stereotyping, particularly in the Greek schools.

- At a time of an extremely challenging economic and financial situation, to making every effort to mitigate the effects of the relevant policies on the more vulnerable groups of the population and establish adequate safety nets for the disadvantaged.

- To continuing to implement integrated actions for the protection of children's rights, and more specifically to unaccompanied minors, based on the paramount principle of safeguarding the best interests of the child.

- To promoting the rights of persons with disabilities and their equal participation in the economic, social and political life of the country.

12. Civil society is regularly consulted in the formulation of policies and the drafting of legislation in the field of human rights. Draft laws or even policy initiatives by the Government are posted on the Internet in a blog-like platform prior to their submission to Parliament. Individuals and organizations can post their comments, suggestions and criticisms article by article. The National Commission for Human Rights, whose membership includes six major non-governmental organizations, submits consultative opinions on draft legislation related to the protection of human rights, as well as on national human rights reports to international bodies. Civil society was fully involved, in an open and transparent manner, in the preparation of Greece's universal periodic review report, which was recently examined. Greece commits itself to fully involving civil society in the formulation and implementation of domestic human rights policy and programmes.

13. Greece will continue to uphold the highest standards in the promotion and protection of human rights at both the international and national levels.